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February 28, 2003

The Honorable Jeffrey W. Runge, M.D.
Administrator
National Highway Traffic Safety Administration
400 Seventh Street, SW
Washington, DC 20590

Dear Dr. Runge:

Re.: Event Data Recorders – Request For Comments
67 Fed. Reg. 63493; October 11, 2002 (Docket NHTSA-02-13546; Notice 1) -60

The Alliance of Automobile Manufacturers (the "Alliance"), whose members are: BMW Group, DaimlerChrysler, Ford Motor Company, General Motors, Mazda, Mitsubishi Motors, Nissan, Porsche, Toyota, and Volkswagen, offers the following comments in response to the notice referenced above which requests comments on what future role the National Highway Traffic Safety Administration (NHTSA) should take related to the development and installation of event data recorders (EDRs) in motor vehicles.

Alliance members recognize that EDRs have the potential to contribute to the quality of field performance data, roadway designs and emergency response systems. It is possible that EDRs could improve existing safety databases both with respect to the accuracy of existing data elements, and through the addition of select new data elements that are not currently available.

While recognizing the potential benefits of EDRs, the Alliance believes it is important for NHTSA to address the following points in any evaluation of possible rulemaking relating to these devices:

- ◆ Although it is reasonable to anticipate that improved databases could lead to enhanced motor vehicle safety, such safety benefits have not yet been quantified or verified.
- ◆ A number of manufacturers are voluntarily expanding the installation of EDRs in motor vehicles. The development and introduction of EDRs is proceeding even without regulatory intervention.
- ◆ Alliance members, NHTSA personnel, and others are actively involved in EDR standards-writing activities. For example, an SAE task group has recently been initiated to develop an EDR standard for data output compatibility and download protocols. ISO is also working on standardizing impact severity recording. These

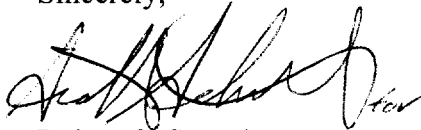
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standards-setting efforts should be allowed to continue as NHTSA considers regulatory action.

- ◆ EDR technology and applications are continuing to evolve to allow collection of vehicle related parameters before, during and after a crash event. The desire for more detailed medical diagnostic information goes well beyond the EDR data recording function.
- ◆ Concerns over consumer and public acceptance of EDRs need to be taken into consideration, whether EDRs are provided voluntarily by vehicle manufacturers or required by the government. The recording of information by EDRs may raise a number of potential privacy issues when the information can be associated with an identified or identifiable person. These could include the question of who may have rights to the information that has been recorded, the circumstances under which various parties may obtain that information, and the purposes for which that information may be used. We believe that de-identified or aggregate information that is not associated with specific individuals, such as used to augment public safety databases, does not raise the same kinds of potential privacy concerns. Ultimately, the resolution of these issues will likely not be within the purview of the vehicle manufacturer. Voluntary implementation of EDRs may facilitate the development of consensus on how to best to manage the legal and privacy implications of EDRs by allowing the policies to evolve through public debate and judicial precedent on the basis of real-world experience.
- ◆ The Alliance encourages NHTSA to continue to monitor the implementation of EDRs, and to remain active in the ongoing standards-writing activities. We also believe that the agency has an important role to play in defining how to incorporate EDR data into FARS, NASS and state crash databases.

The Alliance would be pleased to meet with agency staff to further elaborate on the above comments regarding the continued development and installation of EDRs.

Sincerely,



Robert S. Strassburger
Vice President
Vehicle Safety and Harmonization
Alliance of Automobile Manufacturers

cc: Mr. Stephen R. Kratzke, Esq.
Docket Management, PL – 401